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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,645	01/04/2002	David Lin	FPLP000/USA	1099

7590

03/31/2003

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EXAMINER

ZIRKER, DANIEL R

ART UNIT

PAPER NUMBER

1771

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE -3- MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-18 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-18 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☐ All ☐ Some* ☒ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____

☒ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. The Examiner notes that the application lacks an Abstract. Applicant should supply a suitable one of 150 words or less on a single sheet, such as has been set forth in the PCT International Application published as WO 01/85444.

2. The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, a significant number of translation related and other informalities are present in the claims which need to be substantially revised. For example, in claim 1 and elsewhere the word "impressed" and the accompanying "impressing process" is not believed to be art recognized terminology. Additionally, when applicant states that a certain layer is "covering" or "used to improve" is not considered proper terminology. In claims 2, 4, 7, 10, 16 and 17 proper Markush language should be used in place of "comprising" and the term "composed" is also believed informal. In claim 6, line 3 "the affinity" is vague and indefinite with respect to the laminated relationship that is believed to exist, and in claim 8, line 2 "on" is vague and indefinite. In claims 13 and 14

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"adjacent" fails to properly state the laminated relationship which exists, and in claim 15, line 2 the phrase "that is used" is considered vague and indefinite, as is "using a" in claim 17.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note also Mori et al. and Weinberg et al., cited in the PCT Search Report and Chang cited in the specification. Additionally, note also Calhoun et al., Fahy et al. and Gruhn.

5. Claims 1-18 are not rejected on the basis of adverse prior art.

6. The Examiner notes that applicant appears to have inadvertently filed certified translations of U.S. patent applications Serial No. 09/756,737 and 09/779,490 together with the accompanying PCT Request forms in each application. It is noted that each of these two cases appear to have nothing to do with the present invention, although Mr. Hsu is believed to be the attorney of record in each of them. Also, it appears that a significant number of papers which accompany the 371 application form do not appear to be in the application file. The Examiner wishes ~~again~~ to bring this to applicant's attention, and if applicant believes that a phone call would be desirable, he is welcome to do so.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel

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Zirker whose telephone number is (703) 308-0031. The examiner can normally be reached on Monday-Thursday from 8:30 A.M. to 6:00 P.M. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris, can be reached on (703) 308-2414. The fax phone number for this Group is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Dzirker:cdc
March 25, 2003

DANIEL ZIRKER
PRIMARY EXAMINER
GROUP ~~1300~~
1700

Daniel Zirker